

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1902**

March 3, 2017

The Honorable Paul LePage  
Governor of the State of Maine  
1 State House Station  
Augusta, Maine 04333-0001

The Honorable Sarah Gideon  
Maine Speaker of the House  
P.O. Box 1015  
Belfast, Maine 04915

The Honorable Mike Thibodeau  
President, Maine State Senate  
3 State House Station  
Augusta, Maine 04333

The Honorable Ken Fredette  
Maine House Minority Leader  
P.O. Box 70  
Newport, Maine 04953

The Honorable Troy Jackson  
Senate Democratic Leader  
3 State House Station  
Augusta, Maine 04333

Dear Governor LePage, President Thibodeau, Senator Jackson, Speaker Gideon and Representative Fredette,

The United States Constitution in Article 1, Section 8, Clause 3 states that Congress has the responsibility to "regulate commerce...among the several states."

In 2005, the United States Congress passed the "Real ID Act of 2005." It was subsequently signed into law. It grew from another law, the "National Intelligence Reform Act of 2004" which set in motion recommendations by the bipartisan 9-11 Commission formed to thwart attacks like those against our nation in September 2001.

The 2005 law aims to protect our country from future attacks by enhancing our capabilities to prevent terrorist threats, including a requirement for new standards in identification, such as driver's licenses. These enhanced standards may have prevented the issuance of the IDs used by hijackers to board planes on September 11, 2001, including those hijackers that boarded a plane at the Portland Jetport.

In 2007, Maine was not convinced of the benefits of the Real ID Act. High profile officials and legislators made a case that Maine should not comply with this Real ID law. As a result, the Maine State Legislature passed 29-A MRSA §1411 in 2007, prohibiting Maine's compliance with this Act. Several other states across the country worried about the same issues, but over the past ten years they have either become compliant or are on their way to be compliant within the next year. Maine has not made any steps to become compliant.

I am writing now because Maine is in a dire situation.

Maine-issued driver's licenses are increasingly no longer acceptable forms of identification to access federal buildings and facilities. My office has received news that Maine businesses are suffering because their employees cannot access federal job sites. First responders, including our Maine firefighters, are not able to attend training at federal facilities. Our Veterans cannot access healthcare facilities located on military bases. Maine is currently only among five states which are listed as fully non-compliant.

Together, we can work to ensure Maine receives an extension for compliance with this law by addressing the Department of Homeland Security's (DHS) concerns regarding the current outstanding requirements. We can all agree that our upmost priority is to ensure that all Mainers are able to access federal facilities with their Maine-issued driver's licenses.

Contrary to information released by Maine's Office of the Secretary of State, federal DHS has indicated that taking concrete steps and offering a written commitment to repeal 29-A MRSA §1411, as enacted by PL 2007, c. 251, §1 will provide the necessary evidence needed for a good faith implementation delay until June 6, 2017. Immediately following the repeal, Maine will then need to outline the remaining steps for compliance by creating a set of self-imposed deadlines to receive an extension until October 10, 2017.

Since the Act was passed, Maine has made significant improvements to its licensing process, including increased documentation, security and validation requirements. Our former Secretary of State-- and now Maine State Senator Bill Diamond—has introduced L.D. 306, which would allow Maine to become Real ID compliant. DHS officials have told my office that this bill is a good first step to help Maine work towards full compliance with the additional provisions of the law.

By taking this common sense step forward, we can continue to honor our Veterans by enabling them to receive the care they need and have earned, and provide relief for public service employees who work hard each day to keep our communities safe.

As a strong advocate of policies that honor the 10<sup>th</sup> Amendment, I am always conscientious of state's rights. I am also a strong supporter of liberty and independence. Our nation was founded based on the ideals of freedom that are embodied in the constraints within our Constitution. That same Constitution provides the federal government with the responsibility for interstate commerce and to ensure that our Homeland is safe. Congress used these authorities back in 2005 in passing the Real ID law. A large number of U.S. States have implemented Real ID and all but a small handful are now moving toward implementation.

I implore you to work with my office and the Department of Homeland Security to ensure more Mainers are not further impacted by the delay in compliance. Thank you for your time and attention to this serious issue.

Sincerely,



Bruce Poliquin